

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SALVADOR VENEGAS,

Plaintiff,

v.

MENDOZA, *et al.*,

Defendants.

1:21-cv-00962-ADA-EPG

ORDER GRANTING DEFENDANTS' *EX PARTE* APPLICATION FOR AN
EXTENSION OF TIME TO FILE AN
EXHAUSTION MOTION

(ECF No. 54).

Plaintiff Salvador Venegas ("Plaintiff") is a state inmate proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Before the Court is Defendants' *ex parte* application for an extension of time to file an exhaustion motion. (ECF No. 54).

On May 27, 2022, the Court issued a scheduling order directing Defendants to file any exhaustion motion by August 26, 2022. (ECF No. 45). Defendants' motion, which was filed on August 23, 2022, requests an additional 45 days to file their exhaustion motion because Defendants' counsel has not received all of the documents needed to evaluate the exhaustion issue and prepare an exhaustion motion. (ECF No. 54).

1 Having considered the application, the Court will grant the requested extension. All other
2 deadlines in the schedule are to remain unchanged. Accordingly, IT IS HEREBY ORDERED
3 that:

- 4 1. Defendants' motion (ECF No. 54) is granted; and
- 5 2. Defendants shall file and serve their exhaustion motion (*see* ECF No. 45) by October
6 10, 2022.

7 IT IS SO ORDERED.

8 Dated: **August 25, 2022**

9 /s/ Eric P. Gray
10 UNITED STATES MAGISTRATE JUDGE
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